

Arlington Redevelopment Board
July 21, 2014 Minutes
Town Hall Annex, Second Floor Conference Room, Town Hall – 7:00pm

Approved: September 9, 2014

PRESENT: Mike Cayer, Chair, Andrew Bunnell, Bruce Fitzsimmons, Christine Scypinski, Andy West

ABSENT:

STAFF: Carol Kowalski

Documents Used:

Easements for Arlington Center Safe Travel Project Memo, dated July 17, 2014

Mill Brook Study Area maps, dated July 17, 2014

Letter dated June 6, 2014 from Dan Klasnick to Corey Rateau, Town Manager, Mike Byrne, and Doug Heim

Letter dated July 21, 2014 from Peter Nicosia of Nicosia & Associates

Supplement to an affidavit of Martin Lavin dated July 3, 2014 regarding proposed Verizon facility

The Chairman opened the meeting at 7:05pm and turned to the agenda item for the continued hearing for 1098 Massachusetts Avenue.

Dan Klasnick, attorney for Verizon, recapitulated work to date. At the June 2, 2014 meeting the ARB asked Verizon to go back and address noncompliance issues. Mr. Klasnick stated that letters were sent to Town Counsel, Town Manager, and the Selectmen's office, but he has not received a direct response at this time. However, staff is working with the property owner to resolve issues. Mr. Klasnick distributed his letter dated June 6, 2014 to the Board. Mr. Klasnick also provided a letter from Peter Nicosia of Nicosia & Associates dated July 21, 2014.

Ms. Kowalski was asked to report what communications had occurred between the property owner and the Town.

Mr. Fitzsimmons stated that he was not persuaded by Mr. Nicosia's letter, based on the past experience of the owner. Mr. Fitzsimmons stated that his viewpoint is that the Board should deny the request, based on parking and safety issues, such as the fact that employees still cannot find parking at this stage.

Ms. Scypinski stated that she has no reason to vote in favor of this request. Ms. Scypinski said she was at this site two days ago and still saw the long record of non-compliance being an issue at this location.

Mr. Bunnell agreed, stating that he drove by several times over the weekend and witnessed the same issues of non-compliance that have been previously discussed.

Mr. Cayer said that he agreed with his colleagues, stating that the letter from Mr. Nicosia was nice, but there was no commitment. Mr. Cayer then opened to public comment, there was none.

Mr. Klasnick said he didn't want to force the Board into a vote if they were not ready.

Mr. Cayer stated that having already continued the hearing for this property it cannot be continued indefinitely. He continued to say that Mr. Klasnick has done everything he was supposed to do at this juncture in the proceeding, but the property needs to get straightened out by the owner. Mr. Cayer quoted from Mr. Nicosia's letter citing the "near future" for when these issues will be resolved, but the Board is not getting the sense that this owner is going to make the necessary changes.

Mr. Klasnick distributed a supplement to the affidavit of Martin Lavin.

Mr. Cayer stated that it is incumbent upon the Board to address circulation and public safety.

Mr. Fitzsimmons stated that from a processing point of view the Board could continue it, however August may not be long enough for abutter's notices and legal notifications, furthermore this could stretch over multiple meetings. Mr. Fitzsimmons brought up that the application could be withdrawn without prejudice and then be re-submitted.

Mr. Klasnick felt that there was value to the Board in keeping the application pending.

Mr. Cayer asked Mr. Klasnick if he had the authority to go beyond August since that isn't enough time. He continued that the Board would give very clear instructions on what they want done, because the Board does not want to meet in August just for this item if no progress has been made. Mr. Cayer stated that a continuation to the end of August doesn't help anyone, and he would prefer to continue with a specific date.

Ms. Scypinski asked for information on their schedule, and if there was construction occurring through the winter.

Mr. Klasnick confirmed. He stated that there will be about 3-4 months in which they will have to work around the weather while completing steel work, getting approvals by the engineer, and anticipated lead times for materials.

Eric Wainwright, construction manager for Verizon Wireless, was introduced to the Board.

Ms. Scypinski said she understood the concern, but definitely feels that a new special permit needs to be filed before the Board hears from Verizon. This could take four months. If they had already filed the paperwork, the issue would have momentum. Ms. Scypinski continued to say that the Board only received the letter from the owner because Mr. Klasnick requested it.

The Board then discussed the meeting schedule, stating that August 25, 2014 would not work for a quorum, then the following Monday is Labor Day; September 8, 2014 is the first available date.

Mr. Cayer stated that although Mr. Klasnick was hearing some sympathy from the Board, the ARB needs to address safety and circulation, and they cannot keep turning a blind eye. Mr. Cayer said that he would entertain a continuance to the 8th of September.

Mr. Fitzsimmons stated that the applicant has to formally ask for a continuance to a specific date.

Mr. Klasnick asked the Board to continue to September 8, 2014. Mr. Fitzsimmons moved that the hearing for 1098 Mass Ave be continued to September 8, 2014. Ms. Scypinski seconded. All voted in favor.

Mr. West stated that he would watch the video of the previous meeting and sign the form to vote on the hearing. Mr. Klasnick signed the extension request.

Mr. Cayer then turned to the Easements for Arlington Center item on the agenda. Laura Wiener, Assistant Director for Planning and Community Development, explained the MassDOT and federal funded project to connect two ends of the bike path. She described a proposed bicycle crossing, small traffic light, and adjustment to the existing median at Swan Place. Ms. Wiener continued to say that federal highway funded projects require easements. Six easements are proposed to be inserted around Jefferson Cutter House and the Whittemore Robbins Park. This item is a request for easements to be donated by the ARB to the Town of Arlington.

Mr. Cayer read the proposed vote into the record: The Arlington Redevelopment Board hereby approves donation of the following easements numbered XX-PE-6, XX-TE-8, XX-TE-9, XX-PE-12, XX-PE-13, XX-PE-14, as indicated on the plan called "Arlington Bikeway Connection at Intersection of Massachusetts Avenue & Mystic Street, Preliminary Right of Way Plan", sheet number 11 and 13. Donation of easements is for purposes of pedestrian curb ramp construction and sidewalk reconstruction within the project known as Arlington Center Safe Travel Project. The Board hereby authorizes its Chair, Michael Cayer, to sign easement donation forms on its behalf.

Mr. Fitzsimmons moved. Mr. Bunnell seconded. All voted in favor.

Mr. Cayer turned to the Mill Brook Study Area item on the agenda. Ms. Kowalski introduced David Fields, Technical Planner.

Mr. Fields explained the rationale of each map and study area.

Mr. Cayer mentioned that Drake's and Buzzell and Cooke's Hollow could be included, but that he was inclined to keep the district broad.

Ms. Scypinski said she had mixed feelings about including Mystic River, since it has been studied and developed already. She said it makes sense to stop at Mystic Lake, but include the area bounded by Mystic Street, Chestnut Street, and Medford Street.

Mr. West commented that map 2 is closest to encompassing the correct area. He continued that it is good to think of it as Mill Brook Linear Park Open Space Study, but this spurred the idea of a whole district with Mass Ave, the Bike Path, Arlington Center and Arlington Heights bordering it. A district could create an overlay district but for the time being, it would be best to do the whole Mill Brook Linear Park plus Mass Ave commercial district. Study Area 2 picks up all the pieces.

Mr. West asked if Mill Brook starts at Great Meadows. Elsie Fiore, 58 Mott Street, introduced herself and stated that she was the chair of the Conservation Commission when Cooke's Hollow was put into existence, and asked for more information about the study.

Mr. Cayer stated that a study in the Mill Brook District would help the ARB, MPAC, and other groups to be on the same page, and have a common language in order to say that one area is a designated area.

Ms. Scypinski moved to approve Study Area 2 with revisions as noted. Mr. West seconded. All voted in favor.

The Board discussed the Master Plan.

Mr. Fitzsimmons moved to approve the minutes from July 7, 2014 as amended. Mr. Bunnell seconded and all voted in favor.

The Board turned to the election of officers. Mr. West moved to nominate Ms. Scypinski as Chairman as of July 22, 2014 and to nominate Mr. Bunnell as Vice Chair as of July 22, 2014. Mr. Fitzsimmons seconded. All voted in favor.

Mr. Fitzsimmons acknowledged a great job done by the Chairman. Mr. West commended the Chairman for handling tough matters with ease.

The meeting was adjourned at 8:54pm.